

III. REMARKS

1. Claims 1, 2, 3, 6, 16, 17, 18, 22, 23, 24, 25, 27, 29 and 31 are amended.

2A. Applicants respectfully submit that claims 1, 8-27 and 29 are not anticipated by Watanabe et al. (US 6,963,332, "Watanabe") under 35 USC 102(e). It is noted that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987), and that "[t]he identical invention must be shown in as complete detail as is contained in the ... claim," *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). MPEP § 2131.

Claim 1 recites that each of the data values have at least a plurality of characters associated therewith. The Examiner admits that Watanabe does not expressly or inherently disclose this feature on page 6 on page 7 of the office action (i.e. page 7 of the office action recites "Watanabe's disclosure does not teach that each data value has a plurality of characters associated therewith"). Thus, Watanabe clearly cannot disclose or suggest this feature of claim 1 such that the identical invention is shown in as complete detail as is contained in the claim. This argument also applies to claim 29.

Similarly Watanabe does not expressly or inherently disclose that the terminal has a plurality of operation modes including at least a mode for text entry in which a plurality of letters of the alphabet are assigned to each of the data values as recited in claims 16 and 22, because as admitted by the Examiner Watanabe does not expressly or inherently disclose "that each data value has a plurality of characters associated therewith."

Further claim 27 recites in part assigning groups of letters to each of the defined sequences of activation, entering a group of letters when the associated activation sequence is detected, and sending the entered group of letters to an predictive editor application capable of outputting a word based on a string of received letter groups. Watanabe cannot expressly or inherently disclose these features of claim 27 because the Examiner admits that Watanabe does not expressly or inherently disclose "that each data value has a plurality of characters associated therewith."

Thus, independent claims 1, 16, 22, 27 and 29 are not anticipated by Watanabe. Claims 8-15, 17-21 and 23-26 are patentable over Watanabe at least by reason of their respective dependencies.

2B. As the subject matter incorporated into the independent claims (i.e. generally the feature that each of the data values have at least a plurality of characters associated therewith) was taken from dependent claims to which the Examiner looks to figure 1 of Coates et al. (US 7,352,363 "Coates") as disclosing, the Coates reference will be discussed with respect to claims 1, 16, 22, 27 and 29.

Figure 1 of Coates does not disclose what the Examiner asserts. Figure 1 of Coates merely illustrates a conventional alpha/numeric keypad for a telephone and nothing more. As is well-known in the art, while there are three letters associated with the numerical keys 2-8 and four letters associated with the numerical key 9 there is no disclosure in Coates that "each of the data values have at least a plurality of characters associated therewith" as recited in claim 1. As is well known in the art, using the numeric key 2 as an example, to access the letter "A" the key is pressed once. To access the letter "B" the key is pressed twice. To access the letter "C" the key is pressed three times. Thus, "one data value" cannot be associated with "a plurality of characters" in Coates because different data values are used to access each of the letters "A," "B," and "C" despite the notion that all three of these letters are visually presented on a single key.

Thus, Coates clearly fails to disclose or suggest that each of the data values have at least a plurality of characters associated therewith as recited in Applicant's claim 1. Therefore, combining Watanabe with Coates also fails to disclose this feature of claim 1. Claims 16, 22, 27 and 29 are patentable over the combination of Watanabe and Coates for reasons similar to those described above with respect to claim 1.

Further, it is submitted that the reasoning provided by the Examiner is not sufficient to sustain an obviousness rejection. It is noted that "[a] statement that modifications of the prior art to meet the claimed invention would have been well within the ordinary skill of the art at the time the claimed invention was made because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the references." *Ex parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993) (internal quotations omitted). It is also noted that "rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated

reasoning with some rational underpinning to support the legal conclusion of obviousness." KSR, 82 USPQ2d at 1396 quoting *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006) (internal quotations omitted).

The only reason supplied in the office action for combining Watanabe with Coates in rejecting the subject matter added to claims 1, 16, 22, 27 and 29 through this amendment (i.e. generally the feature that each of the data values have at least a plurality of characters associated therewith) is "[i]t would have been obvious to one of ordinary skill in the art at the time of [sic] invention was made to incorporate a plurality of letters associated with each key as in Coates into the method of entering data as in Watanabe, because this uses fewer keys and implements the short-cut input method (see Coates Abstract)." This amounts to nothing more than a conclusory statement based on Watanabe disclosing a directional input unit and figure 1 of Coates merely showing a conventional telephone keypad. There is absolutely no articulated reasoning provided.

It is further noted that Watanabe and Coates have been combined improperly as Coates is not analogous art. It is noted that Applicant's claims call for allocating data values to movement sequences of an input device from a center position (i.e. a single input device is used to generate the characters). While Watanabe focuses around the use of "a pointer of a direction designation unit, the unit having positions corresponding to the coordinates uniformly spaced in a circular pattern" (Abstract) that comprises a single hand operable device (Col. 20, L. 42-45), Coates on the other hand requires combinations of keys to be simultaneously pressed for entering letters (see Col. 5, L. 10 – Col. 6, L. 33). Thus, one skilled in the art would not look to the multiple key press system of Coates for modifying the single joystick or pad type device of Watanabe.

Thus, claims 1, 16, 22, 27 and 29 are patentable over the combination of Watanabe and Coates for these additional reasons.

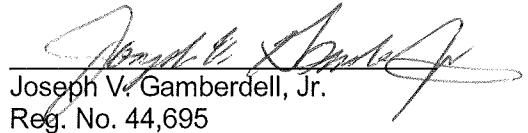
3. Applicants respectfully submit that claims 2-7 and 31 are patentable over the combination of Watanabe and Coates et al. (US 7,352,363, "Coates") under 35 USC 103(a). Claims 2-7 and 31 depend from claim 1. The combination of Watanabe and Coates does not disclose each and every feature of claim 1 for the reasons described above. Thus, claims 2-7 and 31 are patentable over the combination of Watanabe and Coates at least by reason of their respective dependencies.

4. For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and

are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


Joseph V. Gamberdell, Jr. Date 14 April 2011
Reg. No. 44,695

Perman & Green, LLP
99 Hawley Lane
Stratford, CT 06614
(203) 259-1800
Customer No.: 2512